Senate Journal

Second Regular Session of the Fifty-seventh Legislature of the State of Oklahoma

Twenty-sixth Legislative Day, Monday, April 6, 2020

The Senate was called to order by Senator Stanislawski.

Roll Call:

Present: Allen, Bergstrom, Boggs, Brooks, Bullard, Coleman, Dahm, David, Dossett, Dugger, Floyd, Hall, Haste, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Standridge, Stanislawski, Stanley, Thompson, Treat and Weaver.—40.

Excused: Bice, Boren, Daniels, Hicks, Silk, Simpson and Young.—7

Vacancy: District 28.—1.

Senator Stanislawski declared a quorum present.

The prayer was offered by Senator Joe Newhouse.

President Pro Tempore Treat moved that pursuant to Senate Rule 1-5, the Senate suspend a portion of paragraph 11 of Subsection F of Senate Rule 7-7 and a portion of Subsection B of Senate Rule 8-31, which such suspension shall remain effective so long as a health emergency has been declared by Executive Order by the Governor, as follows:

- 1. 7-7(F)(11) For the conduct of business for committees and committee procedure, the reference to the procedure that states, "During any roll call, only a senator present in the committee room may vote."; AND
- 2. 8-31(B) For the floor procedures, the reference to the procedure that states, "During any roll call, only a Senator present on the Senate floor may vote, and every Senator present shall vote.", which motion was declared adopted.

SECOND READING

The following were read for the second time and referred to committee as indicated:

- **HB 1031** Finance
- **HB 1051** Education then to Appropriations
- **HB 1106** Transportation
- HB 1112 Business, Commerce and Tourism
- **HB 1282** Judiciary
- **HB 1284** Judiciary
- HB 1287 Health and Human Services
- HB 1298 Public Safety
- **HB 1310** Public Safety then to Appropriations
- HB 1432 Health and Human Services then to Appropriations
- HB 1546 Judiciary
- HB 1730 Judiciary
- **HB 1735** Health and Human Services
- HB 1799 General Government
- **HB 1907** Education
- **HB 1915** Appropriations
- HB 1931 Judiciary
- **HB 1966** Public Safety
- **HB 2008** Agriculture and Wildlife
- **HB 2017** General Government then to Appropriations
- **HB 2078** Energy
- **HB 2314** Health and Human Services
- **HB 2500** Business, Commerce and Tourism
- **HB 2503** Finance then to Appropriations
- **HB 2504** Finance
- **HB 2546** Public Safety
- **HB 2547** Public Safety
- **HB 2587** Health and Human Services
- HB 2588 Judiciary
- **HB 2617** Retirement and Insurance
- **HB 2637** Business, Commerce and Tourism
- HB 2786 Education
- **HB 2789** Judiciary
- **HB 2791** Public Safety
- **HB 2794** Education then to Appropriations
- **HB 2795** General Government
- **HB 2813** Public Safety

- HB 2824 Business, Commerce and Tourism
- **HB 2825** Health and Human Services
- **HB 2827** Business, Commerce and Tourism
- HB 2828 Health and Human Services
- HB 2830 General Government
- **HB 2831** Business, Commerce and Tourism
- HB 2832 Health and Human Services
- **HB 2835** Health and Human Services
- HB 2836 Health and Human Services
- HB 2837 Education
- **HB 2839** Public Safety
- HB 2840 Energy
- HB 2848 Public Safety
- **HB 2870** Retirement and Insurance then to Appropriations
- **HB 2877** Judiciary then to Appropriations
- HB 2880 Business, Commerce and Tourism
- HB 2891 Veterans and Military Affairs
- **HB 2893** Public Safety
- HB 2898 Public Safety
- HB 2905 Education
- HB 2916 Judiciary
- HB 2920 Business, Commerce and Tourism
- HB 2922 Business, Commerce and Tourism
- **HB 2923** Education then to Appropriations
- **HB 2936** Health and Human Services
- **HB 2938** Health and Human Services
- **HB 2948** Public Safety
- **HB 2975** Agriculture and Wildlife
- HB 2981 General Government
- **HB 2995** Veterans and Military Affairs
- HB 3010 Public Safety
- **HB 3016** Health and Human Services
- **HB** 3018 General Government
- **HB 3023** Transportation
- **HB 3025** Public Safety then to Appropriations
- **HB** 3026 Finance
- **HB 3028** Health and Human Services
- **HB 3029** Health and Human Services
- **HB 3041** Public Safety then to Appropriations
- HB 3046 Judiciary
- **HB 3051** Energy
- HB 3058 Public Safety

- **HB 3078** Rules
- **HB 3081** Business, Commerce and Tourism
- **HB** 3084 Health and Human Services
- **HB** 3085 Judiciary
- **HB** 3086 Finance then to Appropriations
- **HB 3088** Health and Human Services
- **HB 3094** Appropriations
- **HB** 3096 Business, Commerce and Tourism then to Appropriations
- **HB 3098** Business, Commerce and Tourism
- **HB 3104** Business, Commerce and Tourism
- **HB 3113** Public Safety
- **HB 3128** Business, Commerce and Tourism
- **HB** 3135 Judiciary then to Appropriations
- HB 3143 Education
- **HB 3151** Energy
- **HB** 3155 Judiciary
- HB 3162 Business, Commerce and Tourism
- **HB 3165** Judiciary
- **HB 3172** Rules
- HB 3176 General Government
- HB 3185 Finance
- **HB 3188** Appropriations
- **HB 3190** Agriculture and Wildlife
- **HB 3191** Finance
- **HB 3193** General Government
- **HB 3194** Finance
- **HB 3196** Judiciary
- **HB 3212** Judiciary
- **HB 3213** Judiciary
- **HB 3220** Finance then to Appropriations
- HB 3223 Health and Human Services
- **HB 3225** Finance then to Appropriations
- **HB 3227** Business, Commerce and Tourism
- HB 3228 Health and Human Services
- HB 3229 Health and Human Services
- **HB 3230** Health and Human Services
- **HB 3237** Education
- **HB 3242** Retirement and Insurance
- **HB** 3251 Public Safety then to Appropriations
- **HB** 3253 General Government
- **HB 3254** Judiciary then to Appropriations
- **HB 3255** Education then to Appropriations

- **HB 3257** Education then to Appropriations
- **HB 3259** Judiciary
- **HB** 3269 General Government then to Appropriations
- HB 3276 General Government
- **HB 3277** Judiciary
- **HB 3289** Business, Commerce and Tourism
- **HB 3290** Retirement and Insurance then to Appropriations
- **HB 3292** Finance then to Appropriations
- **HB 3314** Agriculture and Wildlife
- HB 3320 Education
- HB 3326 Education
- HB 3330 Retirement and Insurance
- HB 3334 Business, Commerce and Tourism
- **HB 3336** Public Safety then to Appropriations
- **HB 3337** Judiciary
- **HB 3346** Education then to Appropriations
- **HB** 3350 Retirement and Insurance
- HB 3367 General Government
- **HB** 3368 Retirement and Insurance
- **HB 3369** Education then to Appropriations
- HB 3373 Public Safety
- HB 3374 General Government
- HB 3376 General Government
- **HB 3378** Finance then to Appropriations
- **HB 3382** Education then to Appropriations
- **HB 3383** Health and Human Services then to Appropriations
- **HB 3384** Health and Human Services then to Appropriations
- **HB** 3386 Health and Human Services
- HB 3388 Retirement and Insurance
- **HB 3390** Judiciary
- HB 3397 General Government
- **HB 3400** Education then to Appropriations
- **HB 3401** Business, Commerce and Tourism
- **HB 3415** Finance then to Appropriations
- **HB 3418** Health and Human Services then to Appropriations
- **HB 3446** Education then to Appropriations
- **HB 3447** Retirement and Insurance
- **HB 3449** Health and Human Services
- HB 3454 Education
- **HB 3457** Health and Human Services then to Appropriations
- HB 3460 Judiciary
- HB 3466 Education

- HB 3477 Health and Human Services then to Appropriations
- **HB 3479** Health and Human Services
- HB 3481 Retirement and Insurance
- HB 3483 Retirement and Insurance
- **HB 3508** Public Safety then to Appropriations
- HB 3524 Judiciary
- **HB** 3535 Public Safety
- **HB 3540** Education then to Appropriations
- **HB 3543** Judiciary
- HB 3544 Health and Human Services
- HB 3546 Health and Human Services then to Appropriations
- **HB** 3558 Public Safety
- **HB** 3562 Judiciary then to Appropriations
- **HB 3587** Energy then to Appropriations
- **HB 3599** Retirement and Insurance then to Appropriations
- HB 3601 Judiciary
- HB 3602 Public Safety
- HB 3610 Judiciary
- **HB 3611** Energy
- HB 3612 Judiciary
- **HB 3613** General Government
- **HB 3616** Public Safety
- HB 3619 General Government
- **HB 3640** Public Safety
- **HB 3654** Veterans and Military Affairs
- **HB 3655** Business, Commerce and Tourism
- **HB 3661** Public Safety
- **HB** 3662 Public Safety
- **HB 3666** Agriculture and Wildlife then to Appropriations
- **HB 3683** Rules
- **HB 3706** Judiciary
- **HB 3713** Public Safety
- **HB 3729** Business, Commerce and Tourism
- **HB 3730** Business, Commerce and Tourism
- **HB** 3737 Retirement and Insurance then to Appropriations
- **HB 3743** Health and Human Services
- **HB 3746** Retirement and Insurance
- **HB 3756** Judiciary
- HB 3766 Health and Human Services
- **HB 3767** Public Safety
- **HB** 3776 Finance then to Appropriations
- **HB 3781** Transportation

- HB 3786 Agriculture and Wildlife then to Appropriations
- HB 3800 Finance
- **HB 3803** Judiciary then to Appropriations
- HB 3806 Agriculture and Wildlife
- HB 3821 Public Safety
- **HB** 3824 General Government
- **HB 3841** Judiciary
- HB 3851 Veterans and Military Affairs
- **HB** 3857 Finance
- **HB 3870** Education then to Appropriations
- **HB 3873** Judiciary
- HB 3877 Health and Human Services
- HB 3879 General Government
- HB 3880 Health and Human Services
- HB 3884 General Government
- HB 3886 Business, Commerce and Tourism
- HB 3892 Public Safety
- HB 3896 Health and Human Services
- **HB** 3924 Finance then to Appropriations
- **HB 3942** Education then to Appropriations
- HB 3945 Finance then to Appropriations
- HB 3952 Health and Human Services then to Appropriations
- **HB 3954** Business, Commerce and Tourism
- **HB 3956** Health and Human Services then to Appropriations
- **HB 3957** Business, Commerce and Tourism
- **HB 3959** Health and Human Services then to Appropriations
- **HB 3964** Education then to Appropriations
- **HB 3968** Appropriations
- HB 3969 Business, Commerce and Tourism
- **HB 3970** Energy
- **HB 3992** Judiciary
- HB 3994 Retirement and Insurance
- **HB 3996** Rules
- HB 4001 Business, Commerce and Tourism
- HB 4002 Finance
- **HB 4013** General Government
- **HB 4018** Business, Commerce and Tourism
- **HB 4019** Energy then to Appropriations
- **HB 4026** Education then to Appropriations
- **HB 4028** Transportation then to Appropriations
- HB 4029 Retirement and Insurance

- HB 4041 Health and Human Services
- HB 4044 Judiciary
- HB 4046 Judiciary
- **HB 4049** Finance
- **HB 4052** Public Safety then to Appropriations
- **HB 4058** Business, Commerce and Tourism
- HB 4064 Health and Human Services then to Appropriations
- HB 4068 Health and Human Services
- **HB 4078** Health and Human Services
- **HB 4080** Public Safety then to Appropriations
- **HB 4118** Health and Human Services

FIRST READING

The following were introduced and read the first time:

SB 1921 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the State Board of Education; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1922 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the State Board of Education; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1923 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Oklahoma State Regents for Higher Education; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1924 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Oklahoma State Regents for Higher Education; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1925 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Oklahoma Department of Career and Technology Education; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

 ${\bf SB~1926}$ – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Oklahoma Department of Career and Technology Education; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1927 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Department of Corrections; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1928 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Department of Corrections; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

 ${\bf SB~1929}$ – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Department of Public Safety; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

 ${\bf SB~1930}$ – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Department of Public Safety; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1931 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the District Courts; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1932 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Department of Human Services; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1933 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Department of Human Services; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1934 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Oklahoma Health Care Authority; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1935 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Oklahoma Health Care Authority; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

 ${\bf SB~1936}$ – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Department of Mental Health and Substance Abuse Services; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

 ${\bf SB~1937}-{\bf By~Thompson}$ and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Department of Mental Health and Substance Abuse Services; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1938 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to public finance; amending 62 O.S. 2011, Section 34.67, as amended by Section 390, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2019, Section 34.67), which relates to claims and payrolls; specifying certain duty of Director of Office of Management and Enterprise Services; and declaring an emergency.

SB 1939 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to public finance; amending 62 O.S. 2011, Section 34.67, as amended by Section 390, Chapter 304, O.S.L. 2012 (62 O.S. Supp. 2019, Section 34.67), which relates to claims and payrolls; specifying certain duty of Director of Office of Management and Enterprise Services; and declaring an emergency.

SB 1940 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Oklahoma Department of Agriculture, Food, and Forestry; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

 ${\bf SB~1941}$ – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Oklahoma Tourism and Recreation Department; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

 ${\bf SB~1942}$ – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Oklahoma Department of Transportation; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1943 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Oklahoma Department of Transportation; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1944 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Office of Management and Enterprise Services; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SB 1945 – By Thompson and Rader of the Senate and Wallace and Hilbert of the House.

An Act relating to appropriations; making an appropriation to the Office of Management and Enterprise Services; stating purpose; providing lapse dates; requiring and prohibiting certain budget procedures; and declaring an emergency.

SCR 9 – By David.

A Concurrent Resolution relating to Joint Rules; amending Joint Rules for the 57th Legislature.

SCR 10 – By David of the Senate and Echols of the House.

A Concurrent Resolution relating to Joint Rules; amending Joint Rules for the 57th Legislature.

SR 16 – By David.

A Resolution providing for the suspension of Senate Rules for the duration of the 2nd Regular Session of the 57th Oklahoma Legislature.

SR 17 – By David.

A Resolution providing for the suspension of Senate Rules for the duration of the 2nd Regular Session of the 57th Oklahoma Legislature.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator David asked unanimous consent to refer **SR 17** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 17 by David was called up for consideration.

SR 17 was adopted upon motion of Senator David and referred for enrollment.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator David asked unanimous consent to refer **SCR 10** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SCR 10 by David of the Senate and Echols of the House was called up for consideration.

SCR 10 was adopted upon motion of Senator David and referred for engrossment.

MESSAGE FROM THE HOUSE

Advising the Honorable Senate that pursuant to paragraph (b) of Joint Rule Eight, the House has suspended Joint Rule 4 in its entirety for the purpose of hearing and amending **SB 1053**.

MESSAGE FROM THE HOUSE HAS TO SENATE BILLS

Advising passage of and returning the following engrossed bills as amended:

SB 199

SB 617

SB 1053

House amendments were read on the above-numbered bills.

PENDING CONSIDERATION OF HAS

HAs to **SB 199** were concurred in upon motion of Senator Thompson.

SB 199, as amended by the Honorable House, was read at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Allen, Bergstrom, Boggs, Brooks, Bullard, Coleman, David, Dossett, Dugger, Floyd, Hall, Haste, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Standridge, Stanislawski, Stanley, Thompson, Treat and Weaver.--39.

Nay: Dahm.--1.

Excused: Bice, Boren, Daniels, Hicks, Silk, Simpson and Young.--7.

Vacancy: District 28.--1.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 1053 were concurred in upon motion of Senator Thompson.

SB 1053, as amended by the Honorable House, was read at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Allen, Bergstrom, Boggs, Brooks, Bullard, Coleman, David, Dossett, Dugger, Floyd, Hall, Haste, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Standridge, Stanislawski, Stanley, Thompson, Treat and Weaver.--39.

Nay: Dahm.--1.

Excused: Bice, Boren, Daniels, Hicks, Silk, Simpson and Young.--7.

Vacancy: District 28.--1.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

PENDING CONSIDERATION OF HAS

HAs to SB 617 were concurred in upon motion of Senator Stanislawski.

SB 617, as amended by the Honorable House, was read at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Allen, Bergstrom, Boggs, Brooks, Bullard, Coleman, David, Dossett, Dugger, Floyd, Hall, Haste, Howard, Ikley-Freeman, Jech, Kidd, Kirt, Leewright, Matthews, McCortney, Montgomery, Murdock, Newhouse, Paxton, Pederson, Pemberton, Pugh, Quinn, Rader, Rosino, Scott, Sharp, Shaw, Standridge, Stanislawski, Stanley, Thompson, Treat and Weaver.--39.

Nay: Dahm.--1.

Excused: Bice, Boren, Daniels, Hicks, Silk, Simpson and Young.--7.

Vacancy: District 28.--1.

The bill and emergency passed.

House amendments were properly signed and the above-numbered bill was referred for enrollment.

Senator David moved that when the clerk's desk is clear, the Senate stand adjourned to convene at the Call of the Chair, which motion prevailed.

REPORT OF ENGROSSED AND ENROLLED MEASURES

SBs 199, 617 and 1053 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SCR 10 was correctly engrossed, properly signed and ordered transmitted to the Honorable House for consideration.

MESSAGE FROM THE HOUSE

Advising fourth reading of and returning Enrolled SBs 199, 617 and 1053.

The above-numbered enrolled measures were referred to the Governor.

CHANGE IN AUTHORS/COAUTHORS

The following measures were authored/coauthored:

HB 2791 - Coauthored by Senator Pederson

HB 3870 - Coauthored by Senator Bullard

MESSAGES FROM THE GOVERNOR

Advising his approval March 18, 2020, of Enrolled SBs 661 and 1054.

Pursuant to the David motion, the Senate adjourned at 3:20 pm to meet at the Call of the Chair.